

UNITED STATES DISTRICT COURT  
for the  
Western District of Washington

\_\_\_\_\_ Division

ZAYAS, MYRIAM (MZ)	)	Case No.	20-CV-1001 RSM
Plaintiff(s)	)		
-v-	)	Jury Trial:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
KRAUSE, MARIAH (MK)	)		42 U.S.C. § 1983
MAGEE, JAMAAL (JM)	)		
Defendant(s)	)		
	)		

**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

*AMENDED TO ADD PAGE 21 OF 21 ON 07/17/2020*

## I. The Parties to This Complaint

1. Defendant MARIAH KRAUSE (hereinafter "MK") resides in, or is believed to reside in KING COUNTY WA, employed as a state official SOCIAL WORKER. Kent CPS office 1313 Meeker St Kent WA 98030 This defendant is sued in her individual capacity.(Department of Children Youth & Families)
2. Defendant JAMAAL MAGEE (hereinafter "JM") resides in, or is believed to reside in KING COUNTY WA, employed as a state official SOCIAL WORKER. Kent CPS office 1313 Meeker St Kent WA 98030 This defendant is sued in his individual capacity.(Department of Children Youth & Families)

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

- A. Are you bringing suit against (check all that apply):  
 apply): Federal officials (a *Biven* claim)  
 State or local officials (a § 1983 claim)
- B. This case is directly related to the following cases and all parties are added due to the discovery of new evidence and the need to hold all parties accountable: 20-cv-00650
- C. The Plaintiff has filed a tort with the Office of Risk Management and 60 days have passed since the filing.

Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

- 1) FOURTH AMENDMENT
- 2) FOURTEENTH AMENDMENT
- 3) GENDER DISCRIMINATION
- 4) RACIAL DISCRIMINATION

- 5) Washington Rev. Code §26.10.160(3) permits "[a]ny person" to petition for visitation rights "at any time" and authorizes state superior courts to grant such rights whenever visitation may serve a child's best interest.
- 6) Sec. 1. RCW 26.44.050 and 2017 3rd sp.s. c 6 s 324 are each amended to read as follows:  
Except as provided in RCW 26.44.030(11), upon the receipt of a report ((concerning the possible occurrence of)) alleging that abuse or neglect has occurred, the law enforcement agency or the department must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

## FACTS

1. If Plaintiff was a black man, she would have all 4 of her children right now. She has 0 children.
2. CPS has currently suspended all visitation in an attempt to retaliate against her for suing them. She has not seen her child in 4 months. Video visit did not begin until after 6 weeks. They removed her using perjury and committed a 4<sup>th</sup> amendment violation by interviewing her 5-year-old on March 12<sup>th</sup> 2020 at her school at 12:20 pm as noted in the discovery. Without danger, warrant or written/verbal permission from her mother.
3. It has been 4 straight months without a word from the defendants at all, Plaintiff cried and begged to please speak to her child over the phone for the first 6 weeks, to no avail. They told her at the 72-hour shelter care hearing she need not complete any services and then closed their offices for 4 months. Ignoring her calls, text, email, ignoring her attempts to try and get in person visits. Plaintiff does not partake in watching television for she is not interested in fake news, for that reason she had no idea who can do what or how they could do it.
4. No government official came to her door to tell her how long the lockdown would be, nobody sent her a letter stating the case plan going forward. After removing the Plaintiffs child with perjured testimony, they should be required to inform her of any deliberate length of time she would be held away from her child without reason.
5. The Defendant JM did however agree to pay for her drug assessment, and she was able to begin treatment which she scheduled and set up on her own. Throughout the entire 4 months she was never told, "We are instructed to ignore you." She was never told "We are on lock down this is why we are ignoring you; this is why you have not seen your daughter in person". Nobody told her she would have all court dates erased until further notice. They have no certified mail receipt to the Plaintiff stating that they served her notice of their huge violation of due process that severed the bond between her and her 5-year-old daughter. They have no such documentation.
6. Plaintiff retains all evidence below CPS used perjured testimony to remove her 5-year-old, they based their decision solely on race and gender. CPS also never created a case plan which is required

immediately after removing her child. They never did this because they knew they were on lock down and should not have even removed her child to begin with. Now 4 months after removing her suddenly they want to have meetings and discuss visitation, and they are saying that if Plaintiff does not sign a dependency agreeing to services, she can't have her child back or get visitation.

7. Defendants laugh at the Plaintiff when she calls them calling her mentally ill and refusing to let her see her child in person. It has been 4 months now no in person visits still because they don't have the resources but collect title IV-E just fine and \$433 in child support from her each month. They think her relationship with her daughter is somehow funny putting her down all the time.
8. Plaintiff has a child who is 5 and starts the first grade this September 2020, all defendants employed at the Kent CPS office have kept her away from her mother and ignored her mother the entire 4 months of the lockdown. Defendants told her she did not have to complete **any services** at the shelter care hearing way back in mid-March. Plaintiff has completed many services during the lock down, but they ignored her the entire time taking away her rights to familial relation without due process of the law.
9. All Defendants cannot force government into the Plaintiffs life it is a violation of her civil rights, in the past 2 decades they have been obsessed with her every move. When reading the discovery, she can feel the hate coming from the words they wrote about her, she is unsure why but thinks if she were a **black man**, she would have all of her children right now. Plaintiff retains proof of their discrimination from the judge all the way down for 2 decades and it is all documented by the social workers themselves. From the 2020 discovery.
10. They favor black men in all of her dependencies and hate her. People should hear the way they put her down and threaten her over the phone, she does not wish to be discriminated against anymore. This is a violation of her rights under Section 1983. It is also a violation of her child's right to be in parcel to her mother's familial relation.
11. Plaintiff would love to say it was simply men in general but that is not the case because they placed her children with the most obviously incompetent individual in the entire case and simply based on the judges comments surrounding what is stated in her court documents her children's placement must meet their "ethnic and cultural needs" otherwise they can not be placed there. Judge Grant referred to this openly in and during actual recorded court proceedings on more than one occasion. 2010-2013. She even laughed

when she said it.

12. Plaintiff wants to know why these state officials are continuing to harass her for reasons that are NOT child abuse? She wonders what is wrong with our family courts. How come nobody wants to admit that what they are doing, and continue doing is unconstitutional?
13. Her 5-year-old is confused as to why she is in this strange home full of boys. The Defendants have 0 documented proof of child abuse on her. Yet have held her hostage for more than 3 going on 4 months. The lock down is over, and they stated she still cannot have an in-person visits retaliating for her lawsuit against them so now she still can't see her daughter. Since March 16<sup>th</sup>, 2020.
14. Child Protective Services otherwise known as CPS:
  - a. Page 90-94 in the Discovery. On 10.05.2009 at 1:05pm Plaintiffs sister called CPS prior to their removal stating:

*"K\*\*\*\*\* said she is the biological sister of Myriam Zayas. K\*\*\*\*\* said that the maternal grandmother heard that the mother lost custody of \*\*\*\*\* and \*\*\*\*\*".*

Her sister gave the worker her contact information stating they would like to be considered for placement, 1 day before Plaintiffs children were ripped from their school for hearsay. Yet social worker continued forcing foster placement ignoring any of Plaintiffs family members
  - b. The department back in 2009 deliberately withheld her children from her care and forced foster placement despite having full knowledge that her sister and mother were making themselves available as placement, before her children were even removed from her care, defendants committed a removal placing their hands over the children's mouths dragging them out of their school. Ages 6 and 8 years old.
  - c. Page 79 of 240, or 95 of the discovery disks from 2020, On 10.06.09 at 3:00pm a note written by K [REDACTED] D [REDACTED] where she states this to Plaintiffs sister:

*"Worker explained that it is much more difficult when children have been in care before, she stated she understood."*

She never discloses this information to the Plaintiff instead she drags the Plaintiff through a 6-year dependency never returning her children to her care, simply wasting her time. There was or is a policy in place that restricts returning a child when that child is removed a second time. Yet Plaintiff had no clue.

- d. On 08.28.13 Page 154-155 Discovery. Social worker admits the sexual abuse which happened to Plaintiffs child while in her father's care, and then allows the abuser to visit the child afterward not pressing charges and rewording the allegations to state, "he laid on top of her." Minimizing the abuse and justifying it by allowing visitation after the child had to be removed by sheriff.
- e. 2010-2012 Plaintiff sent emails to all parties involved to the courts from the mother saying her father was likely going to abuse his daughter, and to please remove her daughter from his care. She complained to Judicial conduct 3 separate times regarding Judge Beverly Grant and her racist comments. The CASA Sonja Workman even filed a motion to remove the children on July 24<sup>th</sup>, 2012 The overwhelming evidence of abuse was shown via photograph, her daughter was hospitalized for neglect had to have emergency surgery, CPS still left her with him. Stating the Plaintiff was just jealous she could not have her children.
- f. All email communication is documented as well surrounding all of these events. Plaintiff has noticed that the Defendants CPS are missing not surprisingly, the documented sexual abuse that she retains in her possession as well as all of the emails she sent even to the attorney general of Washington state complaining about the judge and what was going on in her case.
- g. 2014 Many months later when they finally did remove her, Plaintiff then emails all parties again and Jamia commences to tell the Plaintiff it was her fault for losing her children to begin with, as if that justifies their part in abusing her children via email. She warned CPS social workers and they ignored her.
- h. **DECLARATION IN SUPPORT OF MOTION** followed by the **MOTION TO AMEND** dated 07.24.12 Plaintiff has documents in her possession. At the bottom of one document Judge Beverly Grant writes in her handwriting that she has jurisdiction over all "title" cases in this matter. Judges are in control of title IV-E funding as well, and her children did receive this as stated in the other case related.
- i. **ORDER TO AMEND PLACEMENT** of Plaintiffs son Jamia McRae and S [REDACTED] W [REDACTED] describe the abuse occurring(the declaration) in the home, recognizes it is happening and Judge B [REDACTED] Grant, signs the order agreeing to leave the other child helpless with an abuser in a studio apartment. Under the assumption that he would never abuse "his own" since her son was not "his"

child. As stated by Jamia McRae herself via email which is also retained by the Plaintiff today.

- j. The state broke the promise that the courts made to the children, they said they would keep them together. When Plaintiff asked why CPS didn't do something to stop the judge? Jamia wrote "My hands were tied." In response via email.
- k. The Plaintiffs son to this day admitting that was the hardest thing he has ever been through in his life being split up from his sister. Plaintiff retains all of the emails and letters written warning all parties involved as well as court documents signed by Judge Grant stating the child abuse that occurred.
- l. Plaintiff now believes this is a systemic problem occurring throughout the Child Protective services, since it is happening to her right now again. The social workers are favoring the male and torturing the female in this case the mother for reasons that should not equal this type of punishment.
- m. S [REDACTED] W [REDACTED] who made the following comments while Plaintiff was sober in the hospital giving birth, page 264-265 of the Discovery:

*"J\*\*\*\*\* intends to petition the court to have her mom's rights terminated so she can be adopted."*

*"The permanent plan for M\*\*\*\*\* is a relative guardianship."*

*"J\*\*\*\*\* does not want to return home to her mother Myriam."*

*"Myriam believes she will be taking the newborn home with her but that is not the case plan"*

Sheila of course smiling with Plaintiff claiming to be on her side at the hospital.

15. Fast forward to what is happening today and has happened in the past 3 years regarding discrimination.

Similar to what was described in Case 20-cv-00650. Jamia McRae favored the same man in fact back in her 2009 dependency, him and her other child's father who is African American as well. Plaintiffs' lawyer was African American as well as the judge and her social worker, both fathers, and Plaintiff is Caucasian.

16. On 07/19/19 MK (in pages 341-342 of the current discovery) contacted the father of the Plaintiffs 16-year-old son in this conversation she states the following exact words:

*"Mr. \*\*\*\*\* stated that he has no dv, no physical abuse, no sexual abuse, no substance abuse, and no mental health issues. Mr. \*\*\*\*\* stated that most recently he was released from prison in 2014 after serving 3 years for possession of cocaine with intent to sell. He stated that he has*

convictions from 1990 and 2002 for Homicide and Manslaughter 2. Mr. \*\*\*\*\* stated that he had 6 children, one passing away but none in his care at this time. He stated that he resides with S\*\*\*\*\* in Gig Harbor. Mr. \*\*\*\*\* stated that he believes \*\*\*\*\* is up to date on his medical appointments but that he hasn't seen the dentist because he hasn't had any issues. He stated that \*\*\*\*\*'s mother has taken him out of school and has him babysit his sister instead of attending. Mr. \*\*\*\*\* stated that \*\*\*\*\* is a sharp kid, very educated, easily influenced, loves sports, and likes to love people. Mr. \*\*\*\*\* stated that his children are to earn whatever they ask for and that he loves the excitement of watching them grow and seeing them make it to the next level. He stated that he enjoys equipping them for life's challenges"

Mr. B abandoned his son 3 years prior and instead of confronting him she takes his side and he is able to do what he wants with her, she even places counseling for her son in his home something she requested and never received they put counseling in to try and take away her child but not to help her son, when she asked for help.

"On 07/29/2019 SW Krause spoke with \*\*\*\*\* stated that \*\*\*\*\* is family to her and she has known him all her life. She stated that her and her husband have taken in [REDACTED] previously and they have seen the way \*\*\*\*\* handles him. She stated that she sees him once or twice a week and that he is an active parent with all his children. She stated that he has a great relationship with all of them and that he is active in their lives. She stated that when the interference of [REDACTED] mother took place it was very hard for him. She stated that he would do anything for his children. She stated that he is a very positive role model and great influence on his children."

Plaintiff is never spoken of with such positive regard as her male counterpart here is, in the entire 800 pages from any social worker period. This man is praised and put on a pedestal after abandoning her child for 3 years straight.

17. On December 17<sup>th</sup>, 2017 at 4:04 pm the note made in the Plaintiffs 2020 discovery on pages 261-262 from a police officer named R\*\*\*\*\* stated in his referral

"Child was kicked out of his father's and aunt's place and went to his mother and has been living with her since. The father is reportedly on drugs and his whereabouts are unknown at this time."

18. On December 30<sup>th</sup>, 2017, Plaintiffs 15yo son was stabbed by someone he did not know while staying at a friend's house in Tacoma for the Christmas New Year's break: intake report on this same day at the CPS office pages 261-262 of the current discovery disc,

"The youth is now at Madigan Army Hospital in Lakewood being treated but will be discharged back home with his mother today. Referrer reports that the mother immediately responded, came over to the hospital, has been appropriate with her son and appeared to be very concerned. Mother is Founded for Neglect and Maltreatment"

19. Plaintiff did have custody when he was stabbed, and she could be blamed. Suddenly when MK wanted to impress somebody MK stated she must give her son to his father and has no custody.

20. Plaintiff has many more heads she would like to add to the mantle however 75% of the social workers

who committed the worst offenses and civil rights violations towards her, and her children have since left the department.

21. Then 3 years later July 2019 all this man has to do is call after not contacting his son in 3 years and these social workers are at his beck and call; completely ignoring the note where it clearly states that he himself said he was left on the streets. Abandoning a child is grounds for termination of parental rights, but apparently not if the social worker is a female and the parent has a penis. Plaintiff has a copy of the restraining order, she attempted to serve to Mr. B as required by law, for him to be
22. Mariah Krause, Jamaal Magee never state anything positive or uplifting with regards to the Plaintiff, their statements are always sarcastic and accusing when referring to anything she does or says. Always assuming she is a liar, always assuming she is on drugs, always threatening to take her children all of them no matter who.
23. This clear hate is called gender discrimination, and in some way's racial discrimination as well, it is a huge violation of Plaintiffs civil rights when they do not hold a man accountable just based on him being a man. All of the defendants in this complaint are guilty for the same issue and continue to judge her and bully her for possession of her children, for literally going on 2 decades.
24. On July 29<sup>th</sup>. 2019, at 9:09 am after asking for Mr.B's phone number for a 3<sup>rd</sup> time MK went on to say Plaintiff needed to get her kid to a "dentist" and a drug test or else, they would open a case and she could lose her last child left. This is about as abusive as it gets, without any lab test results claiming a number of drug tests and from a social worker who committed perjury, so chances of truth are highly unlikely.
25. Plaintiffs discovery is long for no reason; sure you will even find times when her child's father is harassed by social workers as well but his will last 1 page, Plaintiffs has stretched over 2 decades and hundreds of pages, without ever proving actual child abuse. It will continue if they are not stopped her daughter is only 5 and she was never in any kind of imminent danger.
26. In all months included through 2017 and now 2020, from her workstation at the Kent CPS office on 1313 Meeker Street, defendant MK committed a misuse of power possessed by virtue of state law, and made possible only because the wrongdoer is clothed with the authority of state law: Acting as a "person" clothed as a state official. Carrying out policy from her government employer that is creating a reckless

social worker who asserts their power in favor of adoption and not reunification, while at the same time playing favorites based on personal preference. Displaying such spite, hate and anger, because the Plaintiff is telling them; no she does not want to play in their reindeer games. This is her right as an American citizen, Plaintiff should not have to sue every single person for lacking common sense somebody has to have it at the state courthouse.

27. Because he is a man Mariah Krause defended him and continues today, bullying the Plaintiff on his behalf, adding fabricated bloated evidence to her file to make it even more difficult in the end for her daughters return home to the Plaintiff.
28. Defendant JM is responsible for violating the Plaintiffs 14<sup>th</sup> amendment right under the US Constitution by violating her right to due process, not fairly judging the Plaintiff with the same weight he used to judge her child's father. Not holding him accountable and not allowing her due process of the law.
  - a. Jamaal Magee acted with evil intent and completed a negligent investigation that is wholly botched. His comments were rude insinuating that Plaintiff could not possibly have a college degree, or her son could not possibly be on her lease and demanding proof via text. As if to put the Plaintiff down stating that she "should have no children around her."
  - b. JM thinks this is funny as well, they smile & laugh when they speak of her misery.
  - c. JM called Mr. B stating her son should not be around her because she is erratic when the social workers kidnapped her 5-year-old for one dirty drug screen that was proven already to be from her medication. During a mandated lock down would make any human rightfully upset.
  - d. JM keeps prolonging an already prolonged wait for the Plaintiff to hold and have her 5-year-old in her arms. JM is aware her daughter has been gone since the beginning of the lockdown for reasons that do not include imminent danger.
  - e. Plaintiffs child was removed during the lock down for one dirty drug screen. During a time, the Governor made clear only urgent removals are permitted. By continuing this witch hunt all defendants are violating the Plaintiffs right to familial relation, and to be in the care, custody and control of her daughter.
29. Defendant MK is responsible for violating the Plaintiffs 14<sup>th</sup> amendment right under the US Constitution by violating her right to due process and not fairly judging the Plaintiff with the same weight she used to

judge her child's father. Not holding him accountable and not allowing her due process of the law.

- a. Mariah Krause by reading the discovery and still refusing to acknowledge the clear and evident violation of civil rights. He has ignored everything she said, much like the judge did. They are all now attempting to force her into a dependency she has a right not be a part of.
- b. MK keeps prolonging an already prolonged wait for the Plaintiff to hold and have her 5-year-old in her arms. MK is aware her daughter has been gone since the beginning of the lockdown for reasons that do not include imminent danger. She was removed during the lock down for one dirty drug screen. During a time, the Governor made clear only urgent removals are permitted.
- c. Defendant MK committed a misuse of power possessed by virtue of state law, and made possible only because the wrongdoer is clothed with the authority of state law: MK violated the Plaintiffs civil rights acting with deliberate indifference, these rights are clearly established in the Bill of Rights of the US Constitution.
- d. By showing clear and evident favor in Mr. B her child's father by not holding him accountable for abandoning her son in 2017, instead in 2019 stating that the Plaintiff did not have custody and she must give her son back to his father.

31. It states clearly in the discovery that in 2017 he stated that his father left him homeless. The Plaintiff also has 3 years of current child support paid to her, yet he hid so she was unable to serve him any court documents, when she attempted to file for custody.

32. Because he is a man Jamaal Magee defended him and continues to today be a bully to the Plaintiff on his behalf. Using the color of state law and threatening her parental rights if she does not agree to a dependency for one dirty drug screen that occurred on March 5<sup>th</sup>.

33. Defendant JM committed a misuse of power possessed by virtue of state law, and made possible only because the wrongdoer is clothed with the authority of state law: JM violated the Plaintiffs civil rights acting with deliberate indifference, these rights are clearly established in the Bill of Rights of the US

Constitution.

34. Defendant MK committed a misuse of power possessed by virtue of state law, and made possible only because the wrongdoer is clothed with the authority of state law: MK violated the Plaintiffs civil rights acting with deliberate indifference, these rights are clearly established in the Bill of Rights of the US Constitution.
35. All Defendants listed violated the Plaintiffs 4<sup>th</sup> amendment right to be free from government intrusion, unto her property, papers, home and most importantly her familial relation. Trying to force foster placement for profit totally disregarding the fact that they have had Plaintiffs daughter for almost 4 months, with 0 visits completely for 6 weeks and at this point no in person visits with her 5-year-old for 4 months.
36. Throughout the discovery you will find 6+ different times when each of her children were interviewed without her permission, without warrant, without her knowledge. And each time they would ask the child "Do you want to have someone else here with you ?" of course they all answered no, Plaintiffs kids have been through a lot and they are tough. How dare any social worker force a child to be interrogated without their parents present, CPS obviously knew what they did was illegal, or the worker would have informed the parent without hiding it.
37. Instead they did use these interviews as evidence against her and possibly not even charting the full truth, yet she never could accurately defend herself without knowing. Her children at an extremely young and defenseless ages were subject to interrogations many times as noted in the discovery:
  - a. 2-year old at daycare for a dirty diaper, 2016
  - b. 5-year old at school for parents 1 out of 10 dirty UA, 2020
  - c. 6-year old at school for hearsay, dirty dishes, 2009
  - d. 8-year old at school for hearsay , lack of food but still eating, 2008
  - e. 9-year old at school for hearsay, dog bite, 2009
  - f. 12-year old at school hearsay. 2013

None included imminent danger as bad as this looks, they are desperately pulling strings here, and Plaintiff has yet to find any photos or actual evidence of any type of abuse.
38. There are also several references to Plaintiffs personal health information, extremely personal that they decide they are going to show the entire office. The nurse will call for any reason and she did, violating

Plaintiffs right to privacy in a huge way. Because she had no children with her and was not pregnant when they called CPS on her, just stating her diagnosis. These social workers would stop at nothing. This is why children die under their care. CPS they waste too much time and ammo, on little people that are easy to find.

39. Plaintiff thinks maybe the women social workers want to sleep with her child's father or impress him taking her child is not the way to do it, this is not his child and he paid \$1.42 a month in child support for 7 years so caring about kids is not his intent when calling it is out of spite jealousy and hate.
40. Those who are plainly incompetent or who knowingly violate the law cannot invoke qualified immunity. In this case of repeat violations which only occurred because the Defendant acting with deliberate indifference had the power and authority to do so clothed in state law with evil intent . Surely the Defendants had to have read one of the many interviews that had already occurred and seeing that those employees were no longer employed should have been a sign
41. There was nothing the Plaintiff could have done if she wanted to in order to change the mind of these case workers, she was harmless, and they knew it, yet continued to drag her through the dirt to impress a man. For many years she believed it must be her fault and now she sees what its really about , discrimination against her using gender, race and targeting her poverty for funding a perfect match for a prolonged dependency, which is always more money for them, forcing foster placement for title funding.
42. On March 16th, 2020 CPS at 1:49pm social worker Kelsey Owens committed perjury when she swore under oath in front of Judge Messitt that Plaintiff missed her FTDM at noon that very same day. This could not have been a fact due to her filing electronically for the child's removal at 10:14am as stated in the paperwork handed to the Plaintiff along with several other documents that were likely forged and unforged missing various signature containing "no stamp" with a date on the top sheet, some sheets even missing numbers at the bottom.
43. Kelsey removed Plaintiffs daughter long before 12 noon and was forced to wait until after 1 to file to make it look like Plaintiff missed the FTDM. When reality was, she already picked up Plaintiffs child, had possession of the child. Then filed for the child's removal stamped 1:49pm on the actual court document online case 20-7-00666-0 KNT
44. Kelsey Owens and Kejana Black wrote multiple times in the discovery the reason for the child's removal

was because she missed the FTDM Never stating this to Plaintiff or at the shelter care hearing where they had a "different judge" Now suddenly the recording for the shelter care hearing is "missing"

45. Jamaal Magee sent an email to the Plaintiff containing a copy of the dependency petition and low and behold one of the pages contained a stamp, however this stamp is much different than the stamp Sheriff Hillman emailed to the Plaintiff. Which could only mean they used perjury to remove Plaintiffs child and that is not allowed Plaintiff could and will list a number of cases that cite perjury to remove a child is unconstitutional.
46. Falsifying court documents in an attempt to deceive a parent who lost their parental rights unjust, yet this may be known by all parties because despite yelling and screaming they are wrong for this none have agreed with her and none have done anything to stop it. Sonja Workman in 2012 possibly the only state worker who stood on the right side and Plaintiff is not sure if a CASA is considered a state worker.
47. All parties pretend she does not exist hope she goes away, but she has no more kids left to give This kid not old enough to run away and she would like to keep her child with her. Parental rights are fundamental meaning foundation of this country, without parental authority there would be no right or wrong.
48. Plaintiff is unsure but questions if this may have been the reason that Julie DeCamp is so offended and tries to end the conversation every time, she brings up this obvious perjured testimony.
49. Julie Decamp is a supervisor for CPS Jamaal Magee is Plaintiffs case worker. Julie does not care that the Plaintiff has been waiting for 4 months to see her daughter after CPS used perjured testimony and she is well aware that the Plaintiff has emailed the proof to all parties she has it sent directly from 2 state officials email address 2 totally different stamps on the same exact court document. The document she has in her possession contains no stamp no date on the top sheet.
50. There can be no other answer in order to get adoption assistance title IV-E the child must be placed in a "licensed" foster home and Kelsey; Julie and Jamaal are forcing foster placement they have viable placement options yet refuse to acknowledge them stating it is their choice/
51. Plaintiff saw the rest of the children in this home after her daughter showed her a photo, and they were all babies under the age of 4 yr. old, possibly 4 or 5 of them. CPS is harboring very young children for federal funding benefits, to hopeful adopting parents. Plaintiff has viable placement, yet they are forcing adoption assistance. The parents of the other babies possibly do not have a clue that once that title IV-E kicks in they

better sink or swim. Adoption or termination are the only 2 goals the government will fund. Plaintiff had to wait at least a year in her last dependency because CPS refused to pay for drug treatment, and she had no medical insurance. So much for "reasonable efforts."

52. Plaintiff lost a 6 year battle in 2014 CPS allowed her 14 year old to be adopted by an unrelated foster family. Despite the Plaintiff being 100% sober and having housing everything. Plaintiffs sister and mother both making placement available. They stated it was "in the child's best interest." Due to her daughter requesting to be adopted. Foster family moved to Texas with her child and changed her first and last name never seen again.

53. Plaintiff relinquished her rights, when social worker stated that "her daughter was afraid to come home." And "is concerned for the baby." Referring to Plaintiffs newborn, she had living with her. After hearing her daughter call the woman "Mom" at the court hearing. Her social worker at the time loved telling her all the time that her daughter was not going home to her, she wrote it all over the discovery without a care in the world. Everything is documented in the discovery. Social worker even stole her newborn for a total of 3 weeks and placed her newborn in the same foster home as her 14 year old daughter, then continues to say Plaintiff must not care about her children, attempting to keep them all for profit. Plaintiff still has the letter where the social worker states because of "concerns that arose." Never saying why, she took the baby because she knew she was wrong.

54. To this very day the foster parents who adopted still reassure her that her mother was a prostitute, and this was all for her best interest. Proof in the exculpatory evidence CPS had ads that Mr. B and his friends would post online 2009-2013 stating she was working still when she was not. Never informing her because then she would rightfully defend herself and they did not want that. CPS never informed her of her parental rights either.

55. A child can't help but bond with their caretaker when a parent is reduced to 2 hours per week of video visits. From full time mom to absolutely no touch for 4 months straight. Not if she were a man. Mr. B. CPS will bring him his children even if it means ripping them away from all they know.

56. Kelsey Owens attempted to call another 10 time felon to give him custody of Plaintiffs child on March 13<sup>th</sup> 2020, one day after the illegal search and interview of her 5 year old at kindergarten. These people acting as state officials cannot spell, read, or pay attention, Therefore lacking competence and should not be

granted immunity Plaintiff still has the FB message in her phone.

57. Plaintiffs daughter used to sleep in her bed as stated in the interview when she was 2 years old between a body pillow and her mother to keep them both safe. Plaintiffs daughter would ask her mother to hold her hand every night while they slept. Plaintiff has not touched her child in 4 months to date. This is the importance of touch and Plaintiff is losing that importance because she is a white poor, woman. In some cases, its reversed either way accountability is shredded by privacy when dealing with children, so nobody is held accountable, and the devils work is shielded with immunity. Removing touch is like ripping out a parents heart.

58. All defendants named are related to this case (20-cv-00747, 20-cv-00650, 20-cv-00981) and work for CPS

## **Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Regardless what CPS may try and justify violating the rights of a parent there should be actual child abuse otherwise this is abuse of a parent by the government.

All defendants caused directly and/or indirectly:

1. Severe emotional distress,
2. The loss of time is injury if it brings one closer to death and is wasted for a decade on account of the defendant.
3. High blood pressure causing heart problems,
4. Hair loss, depression, weight loss, fear, anger, mental anguish,
5. Loss of social life, distancing, family ties broken with relatives,
6. Loss of business due to public knowledge by forcing public, visitation while being monitored by a social worker for profit from federal funding.
7. Loss of trust from friends and family,
8. Loss of employment possibilities by forcing public monitored visits for profit from federal funding,
9. Economic hardship from having to pay child support while children were illegally seized.
10. Breaking the bond plaintiff has with their child[ren]
11. Anxiety, grief and loss, repeated removals of parental rights, bullied, deceived, dishonored, disrespected, violated, mentally raped, confused, irreparable damage of her and her daughter's relationship, losing time with her children she will never get back.
12. False light, victim of miscarriage of justice; directed to her children and through her.
13. Delay in obtaining a college degree due to prolonged dependency and forced to complete services that took up 90% of her time knowing that she would never regain custody and still threatening to terminate if she did not do what they said.

## Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

- a. The acts of DEFENDANTS caused PLAINTIFF to suffer harm and economic damages for the cost of medical, psychological and/or psychiatric treatment, and PLAINTIFF is informed and believes that he may incur damages in the future for the cost of future care, in amounts according to proof at trial.
- b. In committing the acts and/or omissions alleged, DEFENDANTS, and each of them, have been guilty of perjury, discrimination, or in violation of the Plaintiffs civil rights and, therefore, PLAINTIFF seeks an award of punitive damages against DEFENDANTS, and each of them, according to proof at trial. WHEREFORE, PLAINTIFF demands judgment as hereafter set forth
- c. For general damages according to proof;
- d. For special damages according to proof;
- e. For punitive damages in an amount appropriate to punish the DEFENDANT(S) and deter others from engaging in similar misconduct on appropriate legal causes of action;
- f. For prejudgment interest;
- g. For costs of suit, including attorney's fees;
- h. Grant such other and further relief as the Court deems equitable, just, and proper.

**9) Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 06/25/2020

Signature of Plaintiff

Myriam Zayas

Printed Name of

Plaintiff

**B. For Attorneys**Date of signing: amended: 07/02/2020

Signature of Attorney

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Printed Name of

---

Attorney Bar Number

---

Name of Law Firm

---

Address

27369 129th Place SEKent  
CityWA  
State98030  
Zip Code

Telephone

360-602-1444

Number E-mail

amiya.angel@gmail.com

Address

CONTINUED FROM NUMBER 58 ON PAGE 17 UNDER "FACTS"

59. Upon further review and additional evidence being attained by the Plaintiff the facts point in the direction of the judge and other court officials. Plaintiff has obtained documented viable proof that her shelter care hearing no longer exists in the court record database, other than a few falsified documents containing the signature of a different judge and no other signatures, this leads the Plaintiff to believe that all other parties did not sign for fear of being blamed for forging the signature of a judge who is not even a part of the case.

60. Way back in March on the 16th 2020 chances are they did not want to go on the record for petty drug screen during a mandated lock-down, so instead they did not go on the record at all. Or they went on the record and later decided to delete it for fear of getting into trouble. Which would explain why the judge never allowed Plaintiff to speak and they rushed at the hearing.

61. The court officials knowingly sat on this falsified document for 4 months and ignored the Plaintiff every single day for fear that she may find out. How could she not the judge who they forged the signature of does not even work at RJC anymore. Unless these state officials can prove that they went on the record on that day and have the evidence of such event that is tangible then they with held Plaintiffs child illegally for the past 4 months without warrant and without a shelter care hearing which is a violation of JuCR 2.2 Superior Court rules and shall release the juvenile.

*"JuCR 2.2: RELEASE OF JUVENILE FROM SHELTER CARE WITHOUT HEARING*

*(a) If Shelter Care Is Without Court Order.*

*If a juvenile is taken into shelter care without a court order pursuant to RCW 13.34.055 or RCW 26.44.050, the juvenile shall be released unless a petition alleging dependency is filed within 72 hours (excluding Sundays and holidays) after taking the juvenile into custody.*

*(b) If Shelter Care Is With Court Order.*

*If a juvenile is taken into shelter care pursuant to a court order, the juvenile shall be released unless an order authorizing continued shelter care is entered within 72 hours (excluding Sundays and holidays) after the juvenile is taken into custody."*

62. They also violated the Titles IV-B and IV-E of the Social Security Act (the "Act") under 42 U.S.C. 675(5)(a) (ii) that all children and parents receive a valid case plan within 60 days of placing the child in custody.

60. All parties except Mariah Krause are very aware of this fact and continue to sit there using their shield of immunity as if they did not just commit felony forgery of a judges signature 4 months ago and "pretend" that court happened, when it really never happened. Plaintiff does not need an attorney she would like to keep all of her damages which are rightfully hers. Plaintiff is unaware of what to accuse a state official of who pretends a court date happened when it did not happen but that is exactly why she did not receive a case plan or any documentation which she always thought was strange when she left the hearing and March 17th 2020.

61. Does not matter whether the state "thought" she was on drugs she had a right to a fair hearing and for it not to be deleted from the record and they can not take that right from her or her child and pray she does not find out. That is beyond unconstitutional.

AMENDED  
07/17/2020

